

BRIAN J. STRETCH (CSBN 163973)  
Acting United States Attorney

KYLE F. WALDINGER (ILSB 6238304)  
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor  
San Francisco, California 94102  
Telephone: (415) 436-6830  
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 08-0237 MHP  
Plaintiff, ) STIPULATION AND [PROPOSED]  
v. ) ORDER VACATING TRIAL DATE AND  
BECKY CHRISTIAN, ) EXCLUDING TIME  
Defendant. )

The above-captioned case is set for trial on August 5, 2008. With the agreement of the parties, and with the consent of the defendant, the Court enters this order (1) vacating the trial date of August 5, 2008; (2) vacating the pretrial conference date; (3) setting a date of July 24, 2008, at 10:00 a.m. for further proceedings; and (4) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), from July 15, 2008, to July 24, 2008.

The parties agree, and the Court finds and holds, as follows:

1. On June 16, 2008, the parties appeared before this Court for a hearing on the defendant Christian's motion to sever. The Court granted the defendant's motion at that time and set a trial date of August 5, 2008 and a pretrial conference date of July 24, 2008, at 2:30 p.m. The Court later entered an Order documenting the exclusion of time with respect to the defendant Christian from April 29, 2008 to June 23, 2008.

2. Since the parties' last appearance, the parties have engaged in plea discussions. The parties jointly seek to have the Court vacate the trial date of August 5, 2008, and request to

appear before the Court on July 24, 2008, at 10:00 a.m.

3. The government has recently produced several hundred pages of discovery to the defendant, as well as additional electronic discovery. The defense wishes to review this discovery before July 24, 2008. Continuing the case until July 24, 2008, will give the defendant the opportunity to accomplish this objective.

4. In light of the facts set out above and in light of the need for effective preparation of defense counsel, the Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until July 24, 2008, is necessary for effective preparation of defense counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from July 15, 2008, to July 24, 2008, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

5. Accordingly, and with the consent of the defendant Becky Christian, IT IS  
HEREBY ORDERED that (1) the trial date of August 5, 2008 is vacated; (2) the pretrial  
conference date is vacated; (3) the parties should appear before the Court on July 24, 2008, at  
10:00 a.m.; and (4) the period from July 15, 2008, to July 24, 2008, be excluded from Speedy  
Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv) and 18 U.S.C. § 3161(h)(1)(F).  
SO STIPULATED.

DATED: July 15, 2008

BRIAN J. STRETCH  
Acting United States Attorney

KYLE F. WALDINGER  
Assistant United States Attorney

## SO STIPULATED.

DATED: July 15, 2008

*/s/*  
STEVEN BAUER  
JOHN F. WALSH  
Attorney for the Plaintiff  
Defendant Becky Christie

IT IS SO ORDERED

DATED: July 17, 2008

**MARILYN HALL**  
**United States District Court**

STIPULATION AND [PROPOSED] ORDER  
CR 08-237 MHP

-2-